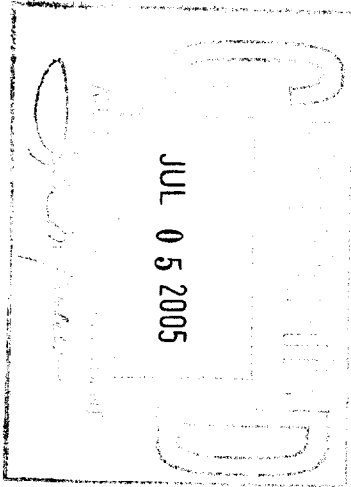


Entered 4-12-05 sb
CL 05L0292 GWENDOLYN BURNS

05- R -1157



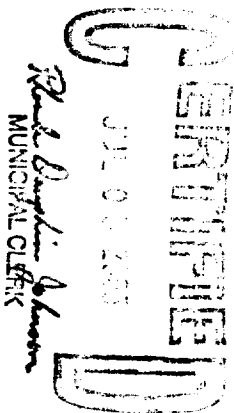
CLAIM OF: RICK POPPELL
POPPELLS PRODUCE
712 West Cherry Street
Jesup, Georgia 31546

For vehicular damages alleged to have been sustained when a light pole fell and struck a vehicle on March 16, 2005 at 689 Boulevard NE.

THIS ADVERSED REPORT IS
APPROVED

BY:


JERRY L. DELOACH
DEPUTY CITY ATTORNEY



ADVERSE REPORT

PUBLIC SAFETY &

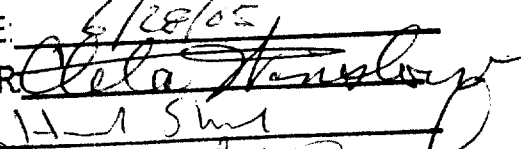
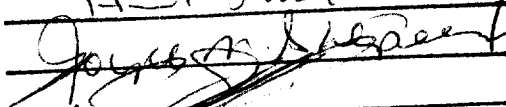
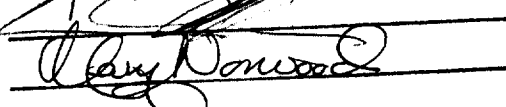
LEGAL ADMINISTRATION COMMITTEE

DATE:

CHAIR:

ADVERSED BY
CITY CLERK

JUL 05 2005

6/28/05






**CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK**

July 11, 2005

**55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103**

Rick Poppell
Poppells Produce
712 bWest Cherry Street.
Jesup, GA 31546

05-R-1157

Dear Mr. Poppell:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on July 05, 2005. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 05L0292

Date: June 14, 2005

Claimant /Victim RICK POPPELL, POPPELLS PRODUCE
BY: (Atty) (Ins. Co.) _____
Address: 712 West Cherry Street, Jesup, Georgia 31546
Subrogation: Claim for Property damage \$ 3,063.52 Bodily Injury \$ _____
Date of Notice: 4/7/05 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 3/16/05 Place: 689 Boulevard NE
Department _____ Bureau: _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that he sustained vehicular damages when a light pole fell on his trailer. However, an investigation has determined that the tractor trailer struck the electrical wires which caused the light pole to fall. The claimant has been advised to pursue his claim against Georgia Power.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police X Dept Report _____ Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

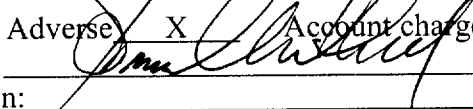
BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved X Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2PO1 _____ 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 06/15/05
Committee Action: _____ Council Action _____

RCS# 6810
7/05/05
3:03 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG(S) 5-19 EXCEPT 05-R-1140

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

Y Smith	NV Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

CONSENT I

		7/05/05
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 05-O-1198 2. 05-O-1071 3. 05-O-1050 4. 05-O-1051 5. 05-O-1206 6. 04-O-1364 7. 05-O-1058 8. 05-O-1059 9. 05-O-1083 10. 05-O-1092 11. 05-R-0113 12. 05-R-1213 13. 05-R-1007 14. 05-R-1046 15. 05-R-1048 16. 05-R-1088 17. 05-R-1137 18. 05-R-1138 19. 05-R-1139 20. 05-R-1141 21. 05-R-1196 22. 05-R-1239 23. 05-R-1136 24. 05-R-1124 25. 05-R-1125 26. 05-R-1130 27. 05-R-1193 28. 05-R-1197 29. 05-R-1212 30. 05-R-1237	31. 05-R-1142 32. 05-R-1143 33. 05-R-1144 34. 05-R-1145 35. 05-R-1146 36. 05-R-1147 37. 05-R-1148 38. 05-R-1149 39. 05-R-1150 40. 05-R-1151 41. 05-R-1152 42. 05-R-1238	43. 05-R-1153 44. 05-R-1154 45. 05-R-1155 46. 05-R-1156 47. 05-R-1157 48. 05-R-1158 49. 05-R-1159 50. 05-R-1160 51. 05-R-1161 52. 05-R-1162 53. 05-R-1163 54. 05-R-1164 55. 05-R-1165 56. 05-R-1166 57. 05-R-1167 58. 05-R-1168 59. 05-R-1169 60. 05-R-1170 61. 05-R-1171 62. 05-R-1172 63. 05-R-1173 64. 05-R-1174 65. 05-R-1175 66. 05-R-1176 67. 05-R-1177 68. 05-R-1178 69. 05-R-1179 70. 05-R-1180 71. 05-R-1181 72. 05-R-1182 73. 05-R-1183 74. 05-R-1184 75. 05-R-1185 76. 05-R-1186 77. 05-R-1187 78. 05-R-1188 79. 05-R-1189 80. 05-R-1190 81. 05-R-1191